

**U.S. District Court  
Southern District of New York (White Plains)  
CIVIL DOCKET FOR CASE #: 7:19-cv-00265-NSR-VR**

Fishman v. City of New Rochelle et al  
Assigned to: Judge Nelson Stephen Roman  
Referred to: Magistrate Judge Victoria Reznik  
Cause: 42:1983 Civil Rights Act

Date Filed: 01/08/2019  
Jury Demand: Plaintiff  
Nature of Suit: 440 Civil Rights: Other  
Jurisdiction: Federal Question

**Plaintiff**

**Marc H. Fishman**  
*Individually, and on behalf of all others  
similary situated*  
*TERMINATED: 03/14/2022*

represented by **Caner Demirayak**  
Law Office of Caner Demirayak, Esq.  
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Brooklyn, NY 11201  
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Email: caner@canerlawoffice.com  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Plaintiff**

**Marc H. Fishman**

represented by **Caner Demirayak**  
(See above for address)  
*ATTORNEY TO BE NOTICED*

V.

**Defendant**

**City of New Rochelle**

represented by **Lalit Kumar Loomba**  
The Quinn Law Firm  
399 Knollwood Road  
White Plains, NY 10603  
914-997-0555  
Email: lloomba@quinnlawny.com  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

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*ATTORNEY TO BE NOTICED*

**Peter Alexander Meisels**  
Wilson Elser Moskowitz Edelman & Dicker

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*ATTORNEY TO BE NOTICED*

**Vernee Ciara Pelage**  
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Email: vpelage@littler.com  
*TERMINATED: 02/06/2023*

**Defendant**

**New Rochelle Police Department**  
*TERMINATED: 02/11/2019*

**Defendant**

**Police Officer Lane Schlesinger**  
*Shield No. 1058*  
*TERMINATED: 02/01/2023*

represented by **Lalit Kumar Loomba**  
(See above for address)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Defendant**

**Commissioner Joseph F. Schaller**  
*TERMINATED: 02/01/2023*

represented by **Lalit Kumar Loomba**  
(See above for address)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Peter Alexander Meisels**  
(See above for address)  
*ATTORNEY TO BE NOTICED*

**Vernee Ciara Pelage**  
(See above for address)  
*TERMINATED: 02/06/2023*

**Defendant**

**Police Detective W. Joseph**  
*Shield No. 18*  
*TERMINATED: 03/14/2022*

represented by **Lalit Kumar Loomba**  
(See above for address)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Defendant**

**Westchester County**  
*TERMINATED: 03/14/2022*

represented by **Irma Wheatfield Cosgriff**  
Westchester County Attorney's Office  
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**LEAD ATTORNEY**  
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**Taryn Anita Chapman**  
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**LEAD ATTORNEY**  
**ATTORNEY TO BE NOTICED**

**Defendant**

**Robert Gazzola**  
*in his official capacity as Police*  
*Commissioner of the City of New Rochelle*  
*Police Department*  
**TERMINATED: 02/01/2023**

represented by **Lalit Kumar Loomba**  
 (See above for address)  
**ATTORNEY TO BE NOTICED**

**Peter Alexander Meisels**  
 (See above for address)  
**ATTORNEY TO BE NOTICED**

**Vernee Ciara Pelage**  
 (See above for address)  
**TERMINATED: 02/06/2023**

**Defendant**

**Sergeant Myron Joseph**  
*Shield # 18*  
**TERMINATED: 02/01/2023**

represented by **Lalit Kumar Loomba**  
 (See above for address)  
**ATTORNEY TO BE NOTICED**

**Peter Alexander Meisels**  
 (See above for address)  
**ATTORNEY TO BE NOTICED**

**Vernee Ciara Pelage**  
 (See above for address)  
**TERMINATED: 02/06/2023**

**Defendant**

**County of Westchester**  
**TERMINATED: 02/01/2023**

represented by **Irma Wheatfield Cosgriff**  
 (See above for address)  
**LEAD ATTORNEY**  
**ATTORNEY TO BE NOTICED**

Date Filed	#	Docket Text
07/19/2023		Minute Entry for proceedings held before Magistrate Judge Victoria Reznik. Telephone Status Conference held on 07/19/2023. The Court treats the Plaintiffs premotion letter (ECF Nos. 123, 124, 127), as a motion to recuse on the merits, because no further briefing is necessary to decide the issue. For the reasons explained on the record, the motion is

DENIED pursuant to Advisory Opinion No. 97 from the Committee on Codes of Conduct. As for the parties dispute over whether to hold Plaintiffs deposition in person or remote, for the reasons explained on the record, the parties are directed as follows. The deposition should be held in person, at a location that is outside of New York State, but close enough to New York State so that defense counsel can reasonably travel to the deposition. The parties shall meet and confer as to the location. Additionally, the parties should ensure that Plaintiff is provided with real time transcription services during the deposition. Finally, the parties should meet and confer as to sharing the cost of this service. It appears that the remaining discovery issues raised in the parties letters (ECF Nos. 124, 125, 127), are not ripe for Court intervention. Defendant is waiting for Plaintiff to provide HIPAA authorizations. The parties will inform the Court if the requested documents have not been produced and/or whether they will need any extensions of discovery. Next Telephone Status Conference scheduled for September 7, 2023, at 11:00 AM. Recorded on AT&T Conference Line. (AR) (Entered: 07/19/2023)

<b>PACER Service Center</b>			
<b>Transaction Receipt</b>			
07/31/2023 15:51:51			
<b>PACER Login:</b>	Canersoup	<b>Client Code:</b>	
<b>Description:</b>	Docket Report	<b>Search Criteria:</b>	7:19-cv-00265-NSR-VR Start date: 7/19/2023 End date: 7/19/2023
<b>Billable Pages:</b>	4	<b>Cost:</b>	0.40